

REMARKS

Claims 1-6 are pending in the application. In the final Office Action of September 18, 2006, the Examiner made the following disposition:

A.) Rejected claims 1-6 under 35 U.S.C. §112, second paragraph.

B.) Rejected claims 1-5 under 35 U.S.C. §102(a) as being anticipated by *Kida et al.*

Applicants respectfully traverse the rejections and address the Examiner's disposition below.

A.) Rejection of claims 1-6 under 35 U.S.C. §112, second paragraph:

Claims 1 has been amended as per the Examiner's request to overcome the rejection.

Regarding claim 3, Applicants submit that the claim is not indefinite, and that the syntax is consistent with conventional. However, to expedite prosecution, claim 3 has been amended to clarify the claim language as per the Examiner's request to overcome the rejection.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

B.) Rejection of claims 1-5 under 35 U.S.C. §102(a) as being anticipated by *Kida et al.*:

Applicants respectfully disagree with the rejection.

Referring to Applicants' Figure 1C and 3 for illustrative purposes, claim 1, as amended, claims a nonaqueous-electrolyte secondary battery. A film-like or sheet-like package member 3a and 3b cover a laminating structure. The package member has a top portion 3a positioned at a top side of a lead electrode 1a and a bottom portion 3b positioned at a bottom side of the lead electrode 1a. A stripe-shaped top sealing member 2a, which is located in a first gap between an end of the top portion of the package member and the lead electrode, seals the first gap by fusing to the top portion of the package member and to the lead electrode. A stripe-shaped bottom sealing member 2b, which is located in a second gap between an end of the bottom portion of the package member and the lead electrode, seals the second gap by fusing to the bottom portion of the package member and the lead electrode.

The top sealing member 2a fuses around a top portion of the lead electrode 1a and the bottom sealing member 2b fusing around a bottom portion of the lead electrode 1a and to the top sealing member 2a such that there is no gap around the lead electrode 1a and no gap between the top sealing member 2a and the bottom sealing member 2b. The top sealing member 2a and the bottom sealing member 2b are each a stripe-shaped sealing member extending to the width of the end of the package member. *See, e.g.*, Figure 3.

This is clearly unlike *Kida*, which fails to disclose or suggest Applicants' claimed stripe-shaped sealing members that extend to the width of the end of a package member. Referring to *Kida* Figures 3 and 4, *Kida* discloses a laminated film 10 that has a top portion and a bottom portion. The top and the bottom portions of the film 10 each have an inner layer 12a made of resin. The inner layer 12a covers the entire inner surface of the laminated film 10. Leads 22 and 32 protrude between the top and bottom portions of the laminated film 10, such that the inner resin layer 12a contacts the leads 22 and 32. At the point at which the leads 22 and 32 pass between the top and bottom portions of the film 10, the leads have a conductive polymer 22a and 32a on their surface.

The Examiner discusses both *Kida*'s inner layer 12a and conductive polymer 22a and 22b, however, the Examiner does not state which of these elements allegedly reads on Applicants' claimed top and bottom sealing members. In either case, neither reads on Applicants' claimed top and bottom sealing members. Unlike Applicants' claimed top and bottom sealing members, *Kida*'s inner layers 12a are not stripe-shaped sealing members extending to the width of the end of a package member. Instead, *Kida*'s inner layer 12a covers the entire inner surface of its laminated film 10 -- it is merely the innermost layer of a multilayer film 10. Thus, *Kida*'s inner layer 12a fails to disclose or suggest Applicants' claimed top and bottom sealing members.

Kida's conductive polymer 22a and 22b also fails to disclose or suggest Applicants' claimed top and bottom sealing members. Unlike Applicants' claimed top and bottom sealing members, *Kida*'s conductive polymer 22a and 22b is formed only around the surface of its leads 22 and 32. *Kida*'s conductive polymer 22a and 22b is not a stripe-shaped sealing members extending to the width of the end of a package member. Thus, *Kida*'s conductive polymer 22a and 22b fail to disclose or suggest Applicants' claimed top and bottom sealing members.

For at least these reasons, *Kida* fails to disclose or suggest claim 1.

Claims 2-5 depend directly or indirectly from claim 1 and are therefore allowable for at least the same reasons that claim 1 is allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

CONCLUSION

In view of the foregoing, it is submitted that claims 1-6 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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